

Application No. 09/804,288
Response to 09/20/2004 Action

Attorney's Docket No. 0119-073

REMARKS

Claims 1-31 are pending.

Claims 1-31 stand rejected under 35 U.S.C. § 103(a) for obviousness over a combination of J.Y. Wilson et al., "Inside Bluetooth Part I - an Open Spec for Wireless Communication", Dr. Dobb's Journal, M&T Publ., Redwood City, Calif., Vol. 25, No. 3 (March 2000) ("Wilson") and U.S. Patent No. 4,819,229 to Pritty et al. ("Pritty"). These rejections should be reconsidered and withdrawn because neither Wilson nor Pritty discloses or even suggests all of the features recited in Applicant's claims.

Applicant's claim 1, for example, defines a method of allocating transmit time slots "in a communication channel that implements a pseudo-token, ping-pong channel access protocol wherein a receiving unit obtains the right to transmit on the channel with the receipt of a data packet". It is important to understand that a pseudo-token, ping-pong channel access protocol is significantly different from a more-or-less conventional token-ring protocol, such as that described in Pritty. Wilson's BLUETOOTH® system is more different still, and is distinguished in this application on page 8, lines 26-27, for example.

As described in the application at page 11, lines 10-25, for example, "channel access is granted by the possession of a pseudo-token, which a communication unit obtains with the receipt of a data packet. The packet can be regarded as carrying a token. When a packet is received, the pseudo-token (and the corresponding right to transmit on the channel) is transferred from the sender to the recipient. The recipient can then transmit to any other unit on the communication channel, and the pseudo-token passes to the next recipient. Referring to Figure 1, communication unit A transmits a packet 110 to unit B, and the pseudo-token passes to unit B. Unit B may then transmit a packet back to unit A, to unit C, or any other communication unit on the channel. . . . Because channel access is passed back and forth between units, the protocol maybe referred to as a 'ping-pong' type protocol."

Neither Wilson nor Pritty describes such pseudo-tokens. As admitted by the Action, Wilson says nothing about pseudo-tokens. Pritty describes modified, but still largely conventional, tokens in an otherwise conventional token ring. Accordingly, the token ring described in Pritty does not operate in a "ping-pong" fashion, but instead

Application No. 09/804,288
Response to 09/20/2004 Action

Attorney's Docket No. 0119-073

circulates tokens around the ring such that any node, not just the node that just received a packet, can transmit. See Pritty at col. 5, ll. 57-60; col. 6, ll. 1-4, 49-53, among other places. Moreover, Pritty's tokens are not "obtained with the receipt of a data packet" as required by claim 1, for example. Instead, Pritty's tokens are separate packets that are depicted in Figs. 2a.

It is not surprising therefore that Pritty fails to describe anything like interrupting Applicant's ping-pong exchange. As described at page 12, lines 9-14, of this application, "the routine 'ping-pong' exchange of the pseudo-token can be interrupted by the use of reserved recovery slots, also referred to as reserved slots or priority slots. Communication unit(s) may be assigned reserved time slots on the communication channel, during which time the pseudo-token (and the accompanying right to transmit) is transferred to the communication unit(s) without regard to whether the unit has received a packet." Pritty simply does not describe such reserved slot allocations. Instead, Pritty requires an extra priority interrupt control channel (PICC) to implement its scheme. See Pritty at col. 6, ll. 53-60. No such PICC is required by Applicant's claims.

Because neither Wilson nor Pritty describes all of the elements of Applicant's claims, their combination fails as a basis for a *prima facie* case of obviousness against those claims. It is also believed that the cited documents would not have supplied any motivation to combine them as suggested by the Action and that there would have been no reasonable expectation that such complex documents could be successfully combined to yield a working system, which even then would have had to be further modified to obtain the claimed subject matter. In view of the clear, significant differences between the subject matter claimed and Wilson and Pritty, it is unnecessary to discuss these other requirements of a *prima facie* case in detail. Accordingly, it is respectfully requested that the obviousness rejections be reconsidered and withdrawn.

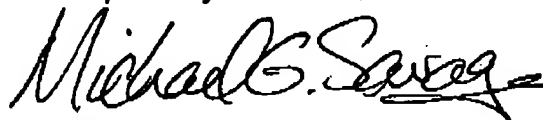
It is believed that this application is in condition for allowance, and an early Notice of same is respectfully solicited. If the Examiner has any questions, the undersigned attorney may be telephoned at the number given below.

Application No. 09/804,288
Response to 09/20/2004 Action

Attorney's Docket No. 0119-073

It may be noted that a Power of Attorney to Prosecute Applications and a
Change of Correspondence Address accompany this paper.

Respectfully submitted,



Filed December 20, 2004

Michael G. Savage
Registration No. 32,596

Potomac Patent Group PLLC
P.O. Box 855
McLean, VA 22101
Tel: 919 677 9591